

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS LIABILITY  
LITIGATION

v.

This Document Relates To:

All Suits Against Box Hill Defendants

MDL No. 2419  
Master Docket: 1:13-md-2419-RWZ

**LIBERTY INDUSTRIES, INC.'S NOTICE OF SERVICE OF ITS OBJECTIONS AND  
RESPONSES TO BOX HILL DEFENDANTS' FIRST SET OF INTERROGATORIES,  
REQUESTS FOR PRODUCTION, AND REQUESTS FOR ADMISSION**

Liberty Industries, Inc. ("Liberty") hereby gives notice to the Court and all parties that it has served the Box Hill Defendants with objections and responses to their First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission. A copy of Liberty's objections and responses are attached to this notice.

Respectfully submitted,

LIBERTY INDUSTRIES, INC.,  
By its attorneys,

*/s/ Peter G. Hermes*

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(617) 728-0050 (T)  
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Dated: September 8, 2015

**CERTIFICATE OF SERVICE**

Pursuant to Local Rules 5.2(b)(2) and 5.4 of the Local Rules of the United States District Court for the District of Massachusetts, I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on September 8, 2015.

*/s/ Peter G. Hermes*  
Peter G. Hermes

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**LIBERTY INDUSTRIES, INC.'S OBJECTIONS TO  
THE BOX HILL DEFENDANTS' FIRST SET OF INTERROGATORIES,  
REQUESTS FOR PRODUCTION AND REQUESTS FOR ADMISSION**

Liberty Industries, Inc. ("Liberty") hereby objects and responds to the First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission propounded by Box Hill Surgery Center, L.L.C., Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M..D., L.L.C. (collectively, the "Box Hill Defendants") as follows:

**INTERROGATORIES**

**INTERROGATORIES NOS. 1-10**

[The Box Hill Defendants adopt and incorporate, as if stated fully herein, Interrogatories 1-10 from the Saint Thomas Entities' First Set of Interrogatories to Liberty.]

**ANSWERS NOS. 1-10**

Objection. Liberty objects to Interrogatories Nos. 1-10 on the grounds that Liberty is not a party to any of the individual cases pending against the Box Hill Defendants in MDL 2419. As a non-party to those cases, Liberty is not required to respond to these Interrogatories. Liberty further objects on the grounds that it has been fully and exhaustively examined by deposition on all issues involved in this case, and these Interrogatories seek discovery that would duplicate matters that were covered in prior depositions, including the deposition of Jeffrey Erickson, Robert Kaiser, George Pollick, and the Rule 30(b)(6) deposition of Liberty. The Box Hill Defendants were invited to attend and cross-examine at these depositions and currently have equal access to the deposition transcripts.

**REQUESTS FOR PRODUCTION**

**REQUESTS FOR PRODUCTION NOS. 1-33**

[The Box Hill Defendants adopt and incorporate, as if stated fully herein, Requests for Production 1-33 from the Saint Thomas Entities' First Set of Requests for Production to Liberty.]

**RESPONSES NOS. 1 -33**

Objection. Liberty objects to Request Nos. 1-33 on the grounds that Liberty is not a party to any of the individual cases pending against the Box Hill Defendants in MDL 2419. As a non-party to those cases, Liberty is not required to respond to these Requests. Liberty further objects on the grounds that it has been fully and exhaustively examined by deposition on all issues involved in this case, and these Requests seek discovery that would duplicate matters that were covered in prior depositions, including the deposition of Jeffrey Erickson, Robert Kaiser, George Pollick, and the Rule 30(b)(6) deposition of Liberty. The Box Hill Defendants were invited to attend and cross-examine at these depositions and currently have equal access to the deposition transcripts. Liberty further states that any and all documents in its possession, custody, or control relating to the work it performed at New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center at 697 Waverly Street, Framingham, MA have been previously produced and are available for inspection on the document repository maintained by the Plaintiffs' Steering Committee in this matter.

**REQUESTS FOR ADMISSION**

**REQUESTS NOS. 1-18**

[The Box Hill Defendants adopt and incorporate, as if stated fully herein, Requests for Admission 1-18 from the Saint Thomas Entities' First Set of Requests for Admission to Liberty.]

**RESPONSES NOS. 1-18**

Objection. Liberty objects to Requests Nos. 1-18 on the grounds that Liberty is not a party to any of the individual cases pending against the Box Hill Defendants in MDL 2419. As a non-party to those cases, Liberty is not required to respond to these Requests. Liberty further objects on the grounds that it has been fully and exhaustively examined by deposition on all issues involved in this case, and these Requests seek discovery that would duplicate matters that were covered in prior depositions, including the deposition of Jeffrey Erickson, Robert Kaiser, George Pollick, and the Rule 30(b)(6) deposition of Liberty. The Box Hill Defendants were invited to attend and cross-examine at these depositions and currently have equal access to the deposition transcripts.

Respectfully submitted,

LIBERTY INDUSTRIES, INC.,  
By its attorneys,

/s/ Peter G. Hermes

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Dated: September 8, 2015

**CERTIFICATE OF SERVICE**

I, Peter G. Hermes, counsel for Liberty Industries, Inc., do hereby certify that on September 8, 2015 a true copy of the foregoing document was served on the below listed counsel for the Box Hill Defendants by U.S. mail, postage prepaid. A copy of this document was also filed through the Court's ECF system and was sent electronically to the registered participants as identified on the Notice of Electronic Filing.

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/s/ Peter G. Hermes

Peter G. Hermes